

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Khadi Gramodyoga Maha Vidyalaya (KGMV), Rajendranagar – Extension of pension scheme to the employees of Khadi Gramodyoga Maha Vidyalaya (KGMV), Rajendranagar on par with the employees of Andhra Pradesh Khadi and Village Industries Board in complying with the orders of the Hon'ble High Court of Andhra Pradesh, Hyderabad in W.P.No. 2437 of 1999, dated 29-08-2005 -- Orders – Issued.

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INDUSTRIES AND COMMERCE (TEX) DEPARTMENT

G.O.Ms.No. 112

Dated 06-11-2010

Read the following:-

1. G.O.Ms.No.279, Ind. &Com. (SES.I) Dept, dated 06-07-1994.
2. Writ Petition No.2437 of 1999, filed by Sri K.Sadhu and others, Khadi Gramodyoga Maha Vidyalaya (KGMV), Rajendranagar in the Hon'ble High Court of Andhra Pradesh, Hyderabad.
3. From the Hon'ble High Court of Andhra Pradesh, Hyderabad, Orders, in W.P.No. 2437 of 1999, dated 29-08-2005.
4. From the Chief Executive Officer, APKVIB, Hyderabad, Letter No.Estt/Legal/5196/2009-2, dated 29 -04-2010.

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O R D E R:-

In the reference 1<sup>st</sup> read above, Government issued orders that a pension scheme may be introduced extending the benefits of Andhra Pradesh Revised Pension Rules, 1980 applicable to State Government servants to the employees of the Andhra Pradesh Khadi and Village Industries Board with effect from 01-04-1993, in lieu of the present Contributory Provident Fund Scheme in the Board. The Director of Local Fund Audit was appointed as Pension verification and issuing authority as the Andhra Pradesh Khadi and Village Industries Board, is a Government Aided Institution.

2. In the reference 2<sup>nd</sup> read above, Sri K.Sadhu, Retired Craft Teacher and others, Khadi Gramodyog Maha Vidyalaya, Rajendranagar, Hyderabad had filed W.P.No.2437 of 1999 in the Hon'ble High Court of Andhra Pradesh, imploding the Secretary to Government, Government of Andhra Pradesh, Industries and Commerce Department, Executive Officer, Andhra Pradesh Khadi and Village Industries Board, Hyderabad and the Principal, Khadi Gramodyoga Maha Vidyalaya (KGMV), Rajenderanagar, Hyderabad as 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> Respondents respectively, praying to issue any writ, order or direction particularly a writ in the nature of mandamus declaring that the petitioners, who are the employees of the Principal, Khadi Gramodyog Maha Vidyalaya, Rajendranagar, Hyderabad i.e., 3rd respondent institution are part and parcel of the 2nd respondent i.e., Andhra Pradesh Khadi and Village Industries Board, Hyderabad and entitled to all benefits of Andhra Pradesh Khadi and Village Industries Board including the pensionary benefits and consequently direct extension of benefits like Pension, GPF and all other consequential and attendant benefits by treating them as the employees of the Andhra Pradesh Khadi and Village Industries Board.

3. In the reference 3rd read above, the Hon'ble High Court of Andhra Pradesh in its Orders, dated 29-08-2005, in W.P.No.2437/1999 filed by Sri K.Sadhu and others ordered that the action of respondents in not extending the benefits of pension scheme as applicable to the State Government employees and the employees of the 2nd respondent is arbitrary, illegal and violative of Articles 14 and 16 of the Constitution of India. Admittedly, the 3<sup>rd</sup> respondent – institution was permitted to be established by the 2<sup>nd</sup> respondent–Andhra Pradesh Khadi and Village Industries Board, for undertaking training programme, for training of rural

(PTO)

artisans to equip them with necessary knowledge, skill and technology in various khadi and village industries and necessary funds were also released by the Government. The regulations applicable to the employees of the 2<sup>nd</sup> respondent-Board are also applicable to the employees of the 3<sup>rd</sup> respondent-institution *mutatis mutandis*. Further, it may not be out of place to notice that the entire teaching staff in the 3<sup>rd</sup> respondent is only 21 in number and it will not cast much financial burden on the State. For all the reasons, the Writ Petition is liable to be allowed and is accordingly allowed. No order as to costs.

4. In the reference 4<sup>th</sup> read above, the Chief Executive Officer, Andhra Pradesh Khadi and Village Industries Board, Hyderabad has stated that the employees of Khadi Gramodyoga Maha Vidyalaya (KGMV), Rajendranagar, Hyderabad made a representation to implement the Court Judgment, dated 29-08-2005 in the W.P.No.2437/1999 and extend the Pension benefits to the employees working / retired at Khadi Gramodyoga Maha Vidyalaya (KGMV). The Chief Executive Officer, Andhra Pradesh Khadi and Village Industries Board, Hyderabad has requested the Government to take a decision in complying with the High Court orders for extension of Pension scheme to the Employees of Khadi Gramodyoga Maha Vidyalaya (KGMV), Rajendranagar on par with the Employees of the Andhra Pradesh Khadi and Village Industries Board and issue necessary orders in the matter.

5. After careful examination, Government have decided to extend the pension scheme to the employees of the Khadi Gramodyoga Maha Vidyalaya (KGMV), Rajendranagar on par with the employees of the Andhra Pradesh Khadi and Village Industries Board, in complying with the Orders of the Hon'ble High Court of Andhra Pradesh, in W.P.No.2437/1999, dated 29-08-2005. Accordingly, Government hereby order to extend the pension scheme to the employees of the Khadi Gramodyoga Maha Vidyalaya (KGMV), Rajendranagar on par with the employees of the Andhra Pradesh Khadi and Village Industries Board, in complying with the Orders of the Hon'ble High Court of Andhra Pradesh, in W.P.No.2437/1999, dated 29-08-2005.

6. The Chief Executive Officer, Andhra Pradesh Khadi and Village Industries Board, Hyderabad is requested to take further action in the matter accordingly.

7. This order issues with the concurrence of Finance (Pen.I) Department, vide their U.O.No.21912/302/A1/Pen.I/10, dated 13-08-2010.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

J.C.SHARMA,  
PRINCIPAL SECRETARY TO GOVERNMENT (F.P.)

To  
The Chief Executive Officer,  
Andhra Pradesh Khadi and Village Industries Board,  
Hyderabad.  
The Assistant Registrar,  
High Court of Andhra Pradesh, Hyderabad.  
The Government Pleader for Industries and Commerce,  
Andhra Pradesh High Court, Hyderabad  
The Accountant General, Andhra Pradesh, Hyderabad..  
The Pay and Accounts Officer, Hyderabad..  
The Commissioner of Industries, Andhra Pradesh, Hyderabad.  
The Director of Local Fund Audit, Hyderabad.

(Contd...)

Copy to:-

The Chief Executive Officer,

Khadi and Village Industries Commission (KVIC), Mumbai.

The Finance (Pension.I) Department.

The Finance ( BG) Department

The Finance ( Exp.I&C) Department

The P.S. to Principal Secretary to Chief Minister.

The P.S. to Minister (MSME, S, K&VI, P&S)

The P.S. to Principal Secretary to Government (F.P.)  
Industries and Commerce Department.

SF/SC.

// FORWARDED BY: ORDER//

SECTION OFFICER.